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PTO/SB/21 (02-04) (AW 02/2004)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 3

Application Number	09/850,371
Filing Date	May 7, 2001
First Named Inventor	Mitchell J. Sparrow
Art Unit	2857
Examiner Name	Carol S. W. Tsai
Attorney Docket No.	ITT 3.0-004

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form
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Brief)

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Remarks:

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Jacques L. Etkowicz	Registration No. (Attorney/Agent)	41,738
Signature			
Date	March 18, 2004		

CERTIFICATE OF TRANSMISSION / MAILING

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Appln. No.: 09/850,371
Response Dated March 18, 2004
Reply to Notice of Allowance of March 3, 2004

ITT 3.0-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.: 09/850,371
Applicant: Mitchell J. Sparrow et al.
Filed: May 7, 2001
Title: INSTANTANEOUS MEASUREMENT OF SIGNAL POLARIZATION
TC/A.U.: 2857
Examiner: Carol S. W. Tsai
Confirmation No.: 2536
Docket No.: ITT-3.0-004

**COMMENTS ON STATEMENT OF
REASONS FOR ALLOWANCE**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Examiner's statement of reasons for allowance, included with the Notice of Allowability dated March 3, 2004, Applicants make the following statement.

Pursuant to 37 C.F.R. § 1.104(e), the Applicants respectfully disagree with the Examiner's statement of reasons for allowance to the extent that the statement might be construed in any way to limit the scope of the allowed claims. Applicants also note that the statement includes for the first time an apparatus based characterization of U.S. Patent 4,556,888 to McNaul. Applicants respectfully disagree with this overly broad interpretation of the McNaul reference. In addition, the Examiner appears to have misstated independent claim 1 by rearranging portions of the claim in a way so as to be confusing. Further, the reasons for allowance are vague by including the statement "and including all of the other limitations in the respective independent claims." This statement may erroneously be interpreted as meaning that the features of all independent claims need to be combined in


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order to be patentable over the McNaul reference. Because this statement is obviously erroneous, it should be stricken.

Respectfully submitted,

RatnerPrestia



Jacques L. Etkowicz, Reg. No. 41,738
Attorney for Applicants

JLE/kc

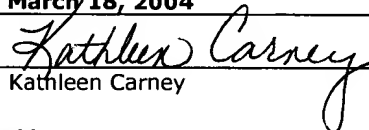
Dated: March 18, 2004

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March 18, 2004



Kathleen Carney

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